

**REMARKS**

Claims 1 - 13 are pending in this application. Reconsideration in view of the following remarks is respectfully requested.

The courtesy extended by Examiner Wallerson during the February 27, 2001 telephone interview is gratefully acknowledged. The substance of the discussion during the interview are incorporated into the following remarks.

**As to the Merits:**

As to the merits of this case, the Examiner relies on the newly cited reference of **Kitazawa** (U.S. Patent No. 5,078,380) in setting forth the following new rejections:

(1) claims 1, 2, 6, 7, 8, 11 and 12 stand rejected under 35 U.S.C. 103(a) based on **Kojima et al.** (of record) in view of **Ono** (of record) and **Kitazawa**; and

(2) claims 4, 5, 9, 10 and 13 stand rejected under 35 U.S.C. 103(a) based on **Kojima et al.** in view of **Ono**, **Kitazawa** and **Sakaue** (of record).

These rejection are respectfully traversed.

Significant structural arrangements of the applicants' claimed invention include a main body including a base having an exposed upper surface and a multi-purpose tray provided on said exposed upper surface of said base.

Although, the Examiner admits that "Kojima as modified also differs from claim 1 and 6 in that he does not disclose a base having an exposed upper surface and a multipurpose tray provided on the exposed upper surface of the base,"<sup>1</sup> the examiner relies on the secondary reference of Kitazawa for teaching the above-discussed drawings and deficiencies of the combination of Kojima and Ono.

More specifically, the Examiner contends that:

Kitazawa disclose a copier (figure 1) comprising a base having an exposed upper surface and multipurpose tray (25) provided on the exposed upper surface of the base (figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima as modified wherein the copier has a base having an exposed upper surface and a multipurpose tray is provided on the exposed upper surface of the base. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima as modified by the teaching of Kitazawa in order to allow a user to easily feed papers manually into the tray.<sup>2</sup>

However, it appears that the Examiner is mischaracterizing the teaching of Kitazawa.

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<sup>1</sup> Please see, lines 13-15, page 4 of the outstanding Action.

<sup>2</sup> Please see, line 16, page 4 - line 3, page 5 of the outstanding Action.

That is, according to Kitazawa, “A manual feeding tray 25 is provided at the right side of 21 for manually receiving and feeding paper into the image-forming section.”<sup>3</sup>

In other words, Kitazawa fails to disclose a multi-purpose tray provided on an exposed upper surface of the base, since tray 25 is provided at the right side of the body 21 and not on an exposed upper surface of body 21.

During the telephone interview on February 27, 2001, it we respectfully submitted to the Examiner that Kitazawa explicitly discloses that the manual feeding tray 25 is provided at the right side of the body 21 and not on an exposed upper surface of body 21.

In rebuttal, the Examiner asserted that Figs. 1 - 3 of Kitazawa disclose that the feeding tray 25 is provided on an exposed upper surface of body 21. However, at best, Figs. 1 - 3 are inconclusive as to whether tray 25 is provided on an exposed upper surface of body 21, and in light of such inconclusiveness Figs. 1 - 3 must be interpreted in the light of the specification, wherein such specification clearly states that the feeding tray 25 is provided at the right side of the body 21 and not on an exposed upper surface of body 21.

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<sup>3</sup> Please see, lines 60-63, column 2 of Kitazawa.

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Thus, even if, arguendo, the teachings of Kojima, Ono and Kitazawa can be combined in the manner suggested by the Examiner, such combined teachings would still fall far short in fully meeting the applicants' claimed invention. As such, a person of ordinary skill in the art would not have found the applicants' claimed invention obvious under 35 U.S.C. § 103(a) based on Kojima, Ono or Kitazawa, singly or in combination.

Thus, it is respectfully asserted that the prior art fails to teach or suggest recitations of claims 1 - 13 and requested that the Examiner allow these claims, along with the entire application, to issue. Accordingly, withdrawal of the rejections of claims 1- 13, under 35 U.S.C. § 103(a) is respectfully solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

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